

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ELIZABETH BOEY CHAU, M.D.

Plaintiff,

-against-

Civil Action No.:  
14-CV-8484(GHW)

**NOTICE OF MOTION**  
(Oral Argument Requested)

HARTFORD LIFE INSURANCE COMPANY,  
HOWARD FUTERMAN, M.D., EVELYN K.  
BALOGUN, M.D., DAVID HOEING, M.D.,  
DAYTON DENNIS PAYNE, M.D., RELIABLE  
REVIEW SERVICES, INC., EXAMWORKS GROUP,  
INC., JANE DOE

Defendants.  
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**PLEASE TAKE NOTICE** that, upon the accompanying Memorandum of Law, Defendant Hartford Life Insurance Company (“Hartford”) by its attorneys, Sedgwick LLP, will move this Court at a time and date designated by the Court, before the Hon. Gregory H. Woods, U.S.D.J., at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, Courtroom 9A, New York, NY 10007, for an Order pursuant to FED. R. CIV. P. 12(b)(6) dismissing Counts II through VIII of Plaintiff Elizabeth Boey Chau, M.D.’s Amended Complaint in their entirety and with prejudice, because they all fail to state a claim upon which relief can be granted, and striking Plaintiff’s demand for a jury trial from the Amended Complaint and for such other and further relief as this Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE** that Hartford requests that Judge Woods hear oral argument on Hartford’s Motion to Dismiss on a date and time to be designated by the Court.

Dated: New York, New York  
April 28, 2015

Respectfully submitted,

s/

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*Attorneys for Defendant Hartford Life Insurance Company*

To:

Robert J. Rando (RR-5765)

The Rando Law Firm P.C.

Attorney for Plaintiff

Elizabeth Boey Chau, M.D.

626 RXR Plaza

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**CERTIFICATE OF SERVICE**

I, Matthew P. Mazzola, hereby certify and affirm that a true and correct copy of the attached **Notice of Motion** and a copy of the referenced documents in the statement was served **via ECF and Regular Mail** on April 28, 2015 upon the following:

Robert J. Rando (RR-5765)  
The Rando Law Firm P.C.  
Attorney for Plaintiff  
Elizabeth Boey Chau, M.D.  
626 RXR Plaza  
Uniondale, NY 11556

s/  
\_\_\_\_\_  
Matthew P. Mazzola